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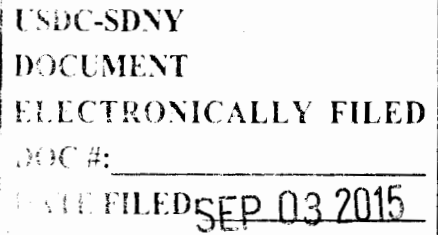
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September 3, 2015

MEMO ENDORSED

VIA ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
500 Pearl Street, Room 620
New York, NY 10007



Re: Ludizaca et al v. GFB Restaurant Corp. et al.
Case No. 13-cv-9180(RA)(MHD)

Dear Judge Abrams:

This firm represents the Defendants in the above-referenced action. This letter has been reviewed by and is being submitted on behalf of counsel for all parties. We write in response to your Order dated September 1, 2015.

As Your Honor is aware, the parties in this matter have reached agreement on all of the terms and conditions of a settlement agreement. The agreement has been signed, and a portion of the initial settlement payment has been made, but payment of the remainder of the initial payment has been delayed due to defendants' ongoing financing difficulties. The parties have agreed to extend the deadline for the completion of payment of the initial payment until September 30, 2015, which delayed the filing of the stipulation of dismissal previously scheduled for August 24, 2015. We apologize for our delay in submitting a stipulation of dismissal.

In light of the recent Second Circuit decision clarifying that parties in an FLSA case may not file a Rule 41 stipulation for dismissal with prejudice without court approval, the parties have agreed to submit a stipulation of voluntary dismissal *without* prejudice pursuant to F.R.C.P. 41(a)(1)(A)(ii), after initial payment is complete. The parties will not be seeking judicial approval of the settlement or dismissal with prejudice.

At this time, to allow sufficient time for the financing issues to be resolved and for the initial payment to be completed, the parties respectfully request an extension of time to file such stipulation until September 30, 2015. We sincerely appreciate Your Honor's continued patience and understanding.



Respectfully submitted,

Gregg Brochin
Counsel for Defendants

cc: Bradford D. Conover, counsel for Plaintiffs, via ECF

APPLICATION GRANTED
SO ORDERED

RONNIE ABRAMS, U.S.D.J.

9/3/15